

Message Text

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ACTION L-03

INFO OCT-01 EUR-12 ISO-00 SSO-00 CPR-01 SCA-01 SCS-03
H-01 INRE-00 CIAE-00 INR-07 NSAE-00 USIE-00 SS-15
SP-02 NSC-05 NSCE-00 PRS-01 PA-01 IO-13 /066 W
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FM AMEMBASSY VIENNA
TO SECSTATE WASHDC IMMEDIATE 1472

LIMITED OFFICIAL USE VIENNA 3153

E.O. 11652: N/A
TAGS: PFOR
SUBJECT: VIENNA CONVENTION ON LAW OF TREATIES

1. ADDITION OF PHRASE "OR UNDER INTERNATIONAL LAW" TO
SENATE INTERPRETATION AND UNDERSTANDING COULD RESULT
OTHER PARTIES INQUIRING WHETHER U.S. IS STATING THAT IF
THE TREATIES CONVENTION DIFFERS FROM CUSTOMARY INTER-
NATIONAL LAW AS TO THE STANDING, FORCE OR EFFECT OF AN
AGREEMENT OF THE UNITED STATES THE CUSTOMARY LAW WOULD
PREVAIL.

2. THE PROVISIONS IN THE TREATIES CONVENTION WHICH
CONTAIN THE LARGEST ELEMENTS OF PROGRESSIVE DEVELOPMENT
RATHER THAN CODIFICATION ARE IN PART V ON INVALIDITY.
AS THESE PROVISIONS GO TO THE LACK OF STANDING, FORCE OR
EFFECT OF A TREATY, THE ADDITIONAL LANGUAGE WOULD PROBABLY
NOT BRING THEM INTO QUESTION.

3. IF "STANDING, FORCE OR EFFECT" ARE CONSTRUED AS
RELATING TO THE VALIDITY OF AN AGREEMENT RATHER THAN HAVING
ANY WIDER APPLICATION, THE FORMULA WOULD BE ONE WE
COULD LIVE WITH ALTHOUGH THE OBSCURITY CAUSED BY THE
ADDITIONAL LANGUAGE MIGHT CAUSE SOME COMMENT OR OBJECTION
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FROM OTHER STATES.MEEHAN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: INSTRUCTIONS, POLICIES, TEXT, AGREEMENT DRAFT, LAW, AGREEMENTS, TARIFFS
Control Number: n/a
Copy: SINGLE
Sent Date: 20-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
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From: VIENNA
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1977/newtext/t19770436/aaaabevi.tel
Line Count: 56
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Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: efffb0a1-c288-dd11-92da-001cc4696bcc
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
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